

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re John O. Murrin III

Case No. 12-mc-00074 (SRN)

**ORDER VACATING ORDER OF
APRIL 30, 2013**

John O. Murrin III, 7045 Los Santos Drive, Long Beach, California 90815.

SUSAN RICHARD NELSON, United States District Judge

By Order of this Court dated September 28, 2012, Chief Judge Michael J. Davis suspended John O. Murrin III from practicing law before the United States District Court for the District of Minnesota (“this Court”) for a period of six months, effective October 3, 2012. (Order of 9/28/12 [Doc. No. 1].) Chief Judge Davis noted that Local Rule 83.5 of this Court requires admission to practice before the Minnesota Supreme Court as a prerequisite to admission before this Court.¹ (*Id.* at 1.) Local Rule 83.6(b)(1) states that any attorney who has been suspended from practicing law by any other court “shall automatically forfeit his . . . right to practice law before this Court during the same period that such attorney has been prohibited from practicing law by such other court.” Because Mr. Murrin had been suspended from the practice of law before the courts of the State of Minnesota, effective October 3, 2012, this Court found that he was automatically

¹ The Local Rules permit nonresident attorneys and attorneys representing the United States to be admitted under a pro hac vice procedure. Local Rule 83.5(d) & (e).

suspended from the practice of law before this federal Court. (Order of 9/28/12 at 1 [Doc. No. 1].)

Mr. Murrin subsequently petitioned for relief from his federal court suspension pursuant to Local Rule 83.6(b) (2). (Petition [Doc. No. 3].) In an Order dated October 31, 2012, this Court denied Murrin's request for relief from his six-month federal court suspension. (Order of 10/31/12 [Doc. No. 6].) In order to be reinstated following the six-month suspension, this Court noted that Murrin was required to file an affidavit with this Court demonstrating his compliance with the Court's order. (Id. at 8.)

On April 8, 2013, Murrin filed an affidavit with this Court, noting that six months had elapsed from the date of his October 3, 2012 suspension, that he had complied with the terms of this Court's October 31, 2012 Order, and, pursuant to Local Rule 83.6(g), he was entitled to reinstatement. (Murrin Aff. [Doc. No. 8].) Local Rule 83.6(g) provides that an attorney suspended for six months or less shall be automatically reinstated at the end of the period of suspension upon the filing with the Court of an affidavit of compliance with the provisions of the order. Based on Murrin's representations, and noting that Murrin had been suspended for a period of six months or less, this Court granted his request for reinstatement. (Order of 4/30/13 [Doc. No. 9].)

Since issuing the Order reinstating Mr. Murrin, the Court has learned that Murrin did not petition for reinstatement before the Minnesota Supreme Court. Accordingly, because he is not admitted to practice before the Supreme Court of Minnesota, and because he did not otherwise apply for admission to this Court in a pro hac vice status, or as an attorney for the government, Mr. Murrin is ineligible for reinstatement to this

Court. While Mr. Murrin averred that he was in compliance with this Court's October 31, 2012 Order, and the Court does not question his veracity, nonetheless, a fundamental prerequisite to admission before this Court is admission to practice before the Minnesota Supreme Court. Until Mr. Murrin demonstrates that his admission before the Minnesota Supreme Court has been reinstated, he is ineligible for reinstatement to this Court.

Accordingly, this Court's Order of April 30, 2012 [Doc. No. 9] is vacated. This Court's ruling of September 28, 2012 [Doc. No. 1], suspending Mr. Murrin from the practice of law before this Court, remains in effect.

Therefore, based on the foregoing, and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT

1. This Court's Order of April 30, 2012 [Doc. No. 9] is **VACATED**; and
2. The Clerk of this Court is directed to serve this Order upon John O. Murrin, III, along with a copy of Local Rule 83.6, by mail and file proof of such service.

Dated: Jan. 16, 2014

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge